

REMARKS/ARGUMENTS

Claims 1-5, 8, 9 and 11-13 are pending herein. Claims 6, 7 and 10 have been cancelled without prejudice or disclaimer. Claim 1 has been amended as supported by Fig. 1, for example. Claims 2 and 3 have been amended to address matters of form. Claims 4, 5, 9 and 13 have been rewritten in independent form. Applicants respectfully submit that no new matter has been added.

1. Claims 1-3, 8, 11 and 12 were rejected under §102(b) over Kano. To the extent this rejection might be applied against the amended claims, it is respectfully traversed.

Claim 1 has been amended to clarify that the first and second electrodes are in direct contact with the emitter element. As recited in claim 1, the first and second electrodes receive an alternating pulse that reverses or changes the polarization of the emitter element. The structure disclosed by Kano in Fig. 18 includes a varistor (205), an emitter element (210), a second switching electrode (220) and an accelerator electrode (240). The varistor (205) is comprised of substrate (202), a first switching electrode (204) formed on the upper surface of substrate (202), a metal oxide nonohmic thin film (206) covering the surface of the first switching electrode (204), and a varistor electrode (208) on the opposing side of the metal oxide nonohmic thin film (206) layer. The varistor electrode (208) is in physical contact with the emitter element (210), which is in physical contact with the second switching electrode (220).

In Kano's structure, the first switching electrode (204) and the second switching electrode (220) correspond to the presently claimed first and second electrodes. As clearly shown in Fig. 18 of Kano, the metal oxide nonohmic thin film

(206) layer and the varistor electrode (208) separate the first switching electrode (204) from the emitter element (210). In contrast, pending claim 1 now recites that the first electrode (16) and the second electrode (20) are in direct contact with the emitter element (14).

In view of the above, Applicants respectfully submit that Kano does not teach each and every element recited in amended claim 1. Accordingly, Applicants respectfully request that the above rejection be reconsidered and withdrawn.

Claims 2, 3, 8, 11 and 12 depend from claim 1, and thus define patentable subject matter for the same reasons explained above with respect to claim 1.

2. Applicants appreciate the Examiner indicating that claims 4-7, 9, 10 and 13 would be allowable if rewritten in independent form. Applicants have rewritten claims 4, 5, 9 and 13 in independent form to include all of the limitations of the base claim and any intervening claims.

For at least the foregoing reasons, Applicants respectfully submit that all pending claims herein define patentable subject matter over the art of record. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims in due course.

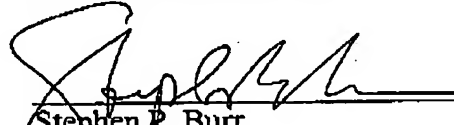
The Examiner is requested to confirm receipt and consideration of the Information Disclosure Statement filed June 10, 2005.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

June 24, 2005
Date


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